

Effective 5/10/2016

67-19e-104.5 Hiring of administrative law judges.

- (1) Except as provided in Subsection (6), each administrative law judge hired on or after May 10, 2016, shall be hired in accordance with this section.
- (2) If an applicant for an administrative law judge position is selected for an interview in accordance with applicable law and department rule, the agency shall interview the applicant by means of a hiring panel.
- (3) The hiring panel described in Subsection (2) shall consist of:
 - (a) the head of the hiring agency;
 - (b) the head of another agency, appointed by the executive director; and
 - (c) the executive director.
- (4) Each individual described in Subsection (3) may designate another individual to serve on the hiring panel on the individual's behalf.
- (5) After the hiring panel completes the interviews for an administrative law judge position:
 - (a) the hiring panel shall select the top three applicants for the administrative law judge position; and
 - (b) the head of the hiring agency shall:
 - (i) consider any opinions or feedback from the other members of the hiring panel with respect to the top three applicants; and
 - (ii)
 - (A) hire an applicant from the top three applicants to fill the administrative law judge position; or
 - (B) decide not to hire any of the top three applicants and restart the hiring process to fill the administrative law judge position.
- (6) This section does not apply to an administrative law judge who is appointed by the governor.

Enacted by Chapter 237, 2016 General Session